

Message Text

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FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 4675

AMEMBASSY TOKYO

C O N F I D E N T I A L SECTION 1 OF 4 GENEVA 1742

E.O. 11652: GDS

TAGS: PARM, JA

SUBJECT: CCD: JAPANESE DRAFT CW TREATY

REF: GENEVA 1493, STATE 049596

FOLLOWING IS TEXT OF DRAFT CW TREATY PROVIDED US BY
JAPANESE MARCH 15:

DRAFT CONVENTION ON THE PROHIBITION
OF THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF CHEMICAL WEAPONS
AND ON THEIR DESTRUCTION

THE STATES PARTIES TO THIS CONVENTION,
DETERMINED TO ACT WITH A VIEW TO ACHIEVING EFFECTIVE
PROGRESS TOWARDS GENERAL AND COMPLETE DISARMAMENT,
INCLUDING THE PROHIBITION AND ELIMINATION OF ALL TYPES
OF WEAPONS OF MASS DESTRUCTION, AND CONVINCED THAT
THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF CHEMICAL WEAPONS AND THEIR ELIMINATION,
THROUGH EFFECTIVE MEASURES, WILL FACILITATE THE ACHIEVE-
MENT OF GENERAL AND COMPLETE DISARMAMENT UNDER STRICT
AND EFFECTIVE INTERNATIONAL CONTROL,
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RECOGNIZING THE IMPORTANT SIGNIFICANCE OF THE

PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE, SIGNED AT GENEVA ON 17 JUNE 1925, AND CONSCIOUS ALSO OF THE CONTRIBUTION WHICH THE SAID PROTOCOL HAS ALREADY MADE, AND CONTINUES TO MAKE, TO MITIGATING THE HORRORS OF WAR,

REAFFIRMING THEIR ADHERENCE TO THE PRINCIPLES AND OBJECTIVES OF THAT PROTOCOL AND CALLING UPON ALL STATES TO COMPLY WITH THEM,

RECALLING THAT THE GENERAL ASSEMBLY OF THE UNITED NATIONS HAS REPEATEDLY CONDEMNED ALL ACTIONS CONTRARY TO THE PRINCIPLES AND OBJECTIVES OF THE GENEVAL PROTOCOL OF 17 JUNE 1925,

RECALLING ALSO THAT EACH STATE PARTY TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION, IN ARTICLE IX OF THE CONVENTION, AFFIRMED THE RECOGNIZED OBJECTIVE OF EFFECTIVE PROHIBITION OF CHEMICAL WEAPONS AND, TO THIS END, UNDERTOOK TO CONTINUE NEGOTIATIONS IN GOOD FAITH WITH A VIEW TO REACHING EARLY AGREEMENT ON EFFECTIVE MEASURES FOR THE PROHIBITION OF THEIR DEVELOPMENT, PRODUCTION AND STOCKPILING AND FOR THEIR DESTRUCTION, AND ON APPROPRIATE MEASURES CONCERNING EQUIPMENT AND MEANS OF DELIVERY SPECIFICALLY DESIGNED FOR THE PRODUCTION OR USE OF CHEMICAL AGENTS FOR WEAPON PURPOSES, AND

CONVINCED THAT AN AGREEMENT ON THE PROHIBITION OF CHEMICAL WEAPONS, IN THE WAKE OF THE ABOVE-MENTIONED CONVENTION ON BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS, WILL CONTRIBUTE TO THE STRENGTHENING OF CONFIDENCE BETWEEN PEOPLES AND THE GENERAL IMPROVEMENT OF THE INTERNATIONAL ATMOSPHERE, AND ALSO CONTRIBUTE TO THE REALIZATION OF THE PURPOSES AND PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS,

HAVE AGREED AS FOLLOWS:

ARTICLE I

EACH STATE PARTY TO THIS CONVENTION UNDERTAKES NEVER IN ANY CIRCUMSTANCES TO DEVELOP, PRODUCE, STOCKPILE OR OTHERWISE ACQUIRE OR RETAIN:

(A) CHEMICAL AGENTS OF TYPES AND IN QUANTITIES THAT
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HAVE NO JUSTIFICATION FOR PROTECTIVE OR OTHER PEACEFUL PURPOSES;

(B) WEAPONS, EQUIPMENT OR MEANS OF DELIVERY DESIGNED TO USE SUCH AGENTS OR TOXINS FOR HOSTILE PURPOSES OR IN ARMED CONFLICT.

ARTICLE II

1. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES TO DESTROY, OR TO DIVERT TO PEACEFUL PURPOSES AS SOON AS

POSSIBLE ALL AGENTS, WEAPONS, EQUIPMENT AND MEANS OF
DELIVERY SPECIFIED IN ARTICLE I, WHICH ARE IN ITS
POSSESSION OR UNDER ITS JURISDICTION OR CONTROL.

2. STATES PARTIES TO THIS CONVENTION SHALL NOTIFY THE
INTERNATIONAL VERIFICATION AGENCY, DEFINED IN ARTICLE VI,
OF THE PENDING DESTRUCTION OR DIVERSION TO PEACEFUL PUR-
POSES OF THE AGENTS AND OTHERS AS SPECIFIED UNDER PARAGRAPH
1 OF THIS ARTICLE ON EACH SUCH OCCASION.

3. THE STATES PARTIES TO THIS CONVENTION SHALL, IN CARRY-
ING OUT THE DESTRUCTION OR DIVERSION TO PEACEFUL PURPOSES
OF THE AGENTS AND OTHERS AS SPECIFIED UNDER PARAGRAPH 1
OF THIS ARTICLE, INVITE THE INTERNATIONAL VERIFICATION
AGENCY TO SEND OBSERVERS.

4. THE INTERNATIONAL VERIFICATION AGENCY SHALL FORTHWITH
COMMUNICATE THE NOTIFICATION UNDER PARAGRAPH 2 OF THIS
ARTICLE TO EACH STATE PARTY TO THIS CONVENTION.

5. THE DESTRUCTION OR DIVERSION TO PEACEFUL PURPOSES
OF THE AGENTS AND OTHERS AS SPECIFIED UNDER PARAGRAPH 1
OF THIS ARTICLE SHALL BE REVIEWED AT A CONFERENCE OF
CONFERENCES OF STATES PARTIES TO THIS CONVENTION PROVIDED
FOR IN ARTICLE XVII.

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6. IN IMPLEMENTING THE PROVISIONS OF PARAGRAPH 1 OF THIS ARTICLE ALL NECESSARY SAFTY PRECAUTIONS SHALL BE OBSERVED TO PROTECT POPULATIONS AND THE ENVIRONMENT.

ARTICLE III

EACH STATE PARTY TO THIS CONVENTION UNDERTAKES NOT TO TRANSFER TO ANY RECIPIENT WHATSOEVER, DIRECTLY OR INDIRECTLY, AND NOT IN ANY WAY TO ASSIST, ENCOURAGE, OR INDUCE ANY STATE, GROUP OF STATES OR INTERNATIONAL ORGANIZATIONS TO MANUFACTURE OR OTHERWISE ACQUIRE ANY OF THE AGENTS, WEAPONS, EQUIPMENT OR MEANS OF DELIVERY SPECIFIED IN ARTICLE I.

ARTICLE IV

NOTWITHSTANDING THE PROVISIONS OF ARTICLES I AND II, THE STATES PARTIES TO THIS CONVENTION MAY TAKE PROVISIONAL MEASURES PROVIDED FOR IN THE ANNEX I OF THIS CONVENTION UNTIL FURTHER AGREEMENTS, INCLUDING EFFECTIVE VERIFICATION MEASURES, ARE REACHED.

ARTICLE V

1. EACH STATE PARTY TO THIS CONVENTION SHALL TAKE ANY NECESSARY MEASURES TO ENSURE THE FULFILMENT OF ITS OBLIGATIONS DERIVING FROM THIS CONVENTION, AND NOTIFY THE INTERNATIONAL VERIFICATION AGENCY OF ITS NATIONAL ORGANS RESPONSIBLE FOR TAKING SUCH NECESSARY MEASURES.
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2. EACH STATE PARTY TO THIS CONVENTION SHALL SUBMIT TO THE INTERNATIONAL VERIFICATION AGENCY PERIODIC REPORTS ON THE STATE OF THE FULFILMENT OF ITS OBLIGATIONS DERIVING FROM THIS CONVENTION IN ACCORDANCE WITH THE PROVISIONS OF THE ANNEX II.

3. THE FUNCTIONS OF THE NATIONAL ORGAN REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE SHALL INCLUDE THE FOLLOWING:

- (A) OBSERVATION AS WELL AS SUPERVISION OF THE ACTIVITIES RELATED TO THE SUBJECT MATTER OF THIS CONVENTION;
- (B) COLLECTION AS WELL AS ASSESSMENT OF STATISTICAL AND OTHER INFORMATION THEREON;
- (C) PRESENTATION TO THE INTERNATIONAL VERIFICATION AGENCY OF PERIODIC REPORTS;
- (D) CO-OPERATION WITH THE INTERNATIONAL VERIFICATION AGENCY SUCH AS PRESENTATION THERETO OF REQUESTED STATISTICAL AND OTHER DOCUMENTS OR INFORMATION, AND ACCEPTANCE OF INSPECTION.

ARTICLE VI

1. IN ORDER TO PROMOTE THE REALIZATION OF THE PROVISIONS OF THIS CONVENTION AND THE FULFILMENT OF OBLI-

GATIONS ASSUMED BY THE STATES PARTIES UNDER THIS CONVENTION, THE STATES PARTIES TO THIS CONVENTION SHALL ESTABLISH AN INTERNATIONAL VERIFICATION AGENCY UNDER THE SECRETARY-GENERAL OF THE UNITED NATIONS.

2. THE FUNCTIONS OF THE INTERNATIONAL VERIFICATION AGENCY SHALL INCLUDE THE FOLLOWING:

- (A) TO ANALYSE AND EVALUATE PERIODIC REPORTS AND STATISTICAL AND OTHER DOCUMENTS OR INFORMATION SUBMITTED BY EACH STATE PARTY;
 - (B) TO REQUEST EXPLANATION AND CONDUCT ENQUIRIES AS UNDER ARTICLE VIII;
 - (C) TO CONDUCT INSPECTION AS UNDER ARTICLE IX;
 - (D) TO SEND NOTIFICATIONS AND REPORTS AS UNDER PARAGRAPHS 1 AND 2 OF ARTICLE X;
 - (E) TO CONSULT AND CO-OPERATE WITH THE NATIONAL ORGANS;
 - (F) TO MAKE RECOMMENDATIONS FOR AMENDMENTS TO THE AXXEXES;
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- (G) TO SEND OBSERVERS AS UNDER ARTICLE III;
- (H) TO CARRY OUT DECISIONS WHICH MAY BE MADE AT THE CONFERENCES OF STATES PARTIES TO THIS CONVENTION.

3. DETAILS PERTAINING TO THE COMPOSITION AND FUNCTIONS OF THE INTERNATIONAL VERIFICATION AGENCY SHALL BE PROVIDED FOR IN ANNEX III.

ARTICLE VII

THE STATES PARTIES TO THIS CONVENTION UNDERTAKE TO CONSULT ONE ANOTHER DIRECTLY OR THROUGH THE INTERNATIONAL VERIFICATION AGENCY AND CO-OPERATE IN SOLVING ANY PROBLEMS WHICH MAY ARISE IN RELATION TO THE OBJECTIVES OF, OR IN THE APPLICATION OF THE PROVISIONS OF, THIS CONVENTION.

ARTICLE VIII

1. ANY STATE PARTY TO THIS CONVENTION WHICH SUSPECTS THAT ANY OTHER STATE PARTY IS ACTING IN BREACH OF OBLIGATIONS DERIVING FROM THE PROVISIONS OF THIS CONVENTION MAY REQUEST, DIRECTLY OR THROUGH THE INTERNATIONAL VERIFICATION AGENCY THAT STATE PARTY TO PROVIDE EXPLANATIONS. THIS REQUEST SHOULD INCLUDE A LIST OF ALL THE EVIDENCE THAT ROUSED THEIR SUSPICION.

2. REQUEST FOR EXPLANATIONS AS UNDER PARAGRAPH 1 MAY ALSO BE MADE BY THE INTERNATIONAL VERIFICATION AGENCY, WHEN IT DEEMS IT TO BE NECESSARY.

3. THE STATE PARTY WHICH IS REQUESTED TO PROVIDE EXPLANATIONS UNDER PARAGRAPH 1 OF THIS ARTICLE SHALL COMPLY WITH SUCH REQUEST IN GOOD FAITH. THIS STATE

PARTY MAY REQUEST THE INTERNATIONAL VERIFICATION AGENCY TO CONDUCT THE INQUIRY. THEIR REQUEST SHOULD INCLUDE EVIDENCE WHICH THEY CONSIDER SUFFICIENT TO REMOVE SUSPICION.

ARTICLE IX

1. A STATE PARTY WHICH HAS BEEN REQUESTED TO PROVIDE EXPLANATIONS AS UNDER PARAGRAPH 1 AND 2 OF ARTICLE VIII MAY AT ANY TIME INVITE THE INTERNATIONAL VERIFICATION AGENCY TO CONDUCT AN INSPECTION IN ITS TERRITORY.

2. IF THE STATE PARTY WHICH IS REQUESTED TO PROVIDE
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EXPLANATION AS UNDER PARAGRAPHS 1 AND 2 OF ARTICLE VIII FAILS TO PROVIDE ADEQUATE EXPLANATIONS, THE INTERNATIONAL VERIFICATION AGENCY MAY NOTIFY SUCH STATE PARTY OF AN IMPENDING INSPECTION TO BE CONDUCTED IN ITS TERRITORY.

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3. THE STATE PARTY WHICH IS NOTIFIED BY THE

INTERNATIONAL VERIFICATION AGENCY OF INSPECTION AS UNDER PARAGRAPH 2 OF THIS ARTICLE SHALL MAKE EVERY EFFORT TO ACCEPT, AS SOON AS POSSIBLE, SUCH INSPECTION IN ITS TERRITORY. THE STATE PARTY WHICH FINDS IT IMPOSSIBLE TO ACCEPT SUCH INSPECTION IN ITS TERRITORY SHALL PROVIDE ADEQUATE REASONS TO THE INTERNATIONAL VERIFICATION AGENCY WHY THE STATE PARTY FINDS IT IMPOSSIBLE TO ACCEPT THE INSPECTION.

ARTICLE X

1. THE INTERNATIONAL VERIFICATION AGENCY SHALL NOTIFY EACH STATE PARTY TO THIS CONVENTION OF THE RESULTS OF ANALYSIS AND EVALUATION AS UNDER PARAGRAPH 2(A) OF ARTICLE VI, OF EXPLANATION OR INQUIRY AS UNDER ARTICLE VIII, AND OF INSPECTION AS UNDER ARTICLE IX.

2. THE INTERNATIONAL VERIFICATION AGENCY MAY, WHEN IT IS DEEMED NECESSARY, REPORT THE CONTENTS OF THE NOTIFICATION AS UNDER PARAGRAPH 1 OF THIS ARTICLE TO THE SECURITY COUNCIL OF THE UNITED NATIONS. (SEE ADDENDUM FOR ARTICLE XI)

ARTICLE XII

NOTHING IN THIS CONVENTION SHALL BE INTERPRETED
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AS IN ANY WAY LIMITING OR DETRACTING FROM THE OBLIGATIONS ASSUMED BY ANY STATE UNDER THE PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE, SIGNED AT GENEVA ON 17 JUNE 1925, AS WELL AS UNDER THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION.

ARTICLE XIII

EACH STATE PARTY TO THIS CONVENTION UNDERTAKES TO CONTINUE NEGOTIATIONS IN GOOD FAITH WITH A VIEW TO ACHIEVING AN AGREEMENT, AS SOON AS POSSIBLE, WHICH WILL MAKE IT POSSIBLE TO ELIMINATE THE PROVISIONAL MEASURES PROVIDED FOR IN ANNEX I.

ARTICLE XIV

1. THE STATES PARTIES TO THIS CONVENTION UNDERTAKE TO FACILITATE AND HAVE THE RIGHT TO PARTICIPATE IN THE FULLEST POSSIBLE EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE USE OF CHEMICAL AGENTS FOR PEACEFUL PURPOSES. PARTIES TO THIS CONVENTION IN A POSITION TO DO SO SHALL ALSO CO-OPERATE IN CONTRIBUTING INDIVIDUALLY OR TOGETHER WITH OTHER STATES OR INTERNATIONAL ORGANIZATIONS TO THE FURTHER DEVELOPMENT AND APPLICATION OF SCIENTIFIC DISCOVERIES IN THE FIELD OF CHEMISTRY FOR PREVENTION

OF DISEASE, OR FOR OTHER PEACEFUL PURPOSES.

2. THIS CONVENTION SHALL BE IMPLEMENTED IN A MANNER DESIGNED TO AVOID HAMPERING THE ECONOMIC OR TECHNOLOGICAL DEVELOPMENT OF STATES PARTIES TO THE CONVENTION OR INTERNATIONAL CO-OPERATION IN THE FIELD OF PEACEFUL CHEMICAL ACTIVITIES, INCLUDING THE INTERNATIONAL EXCHANGE OF CHEMICAL AGENTS AND EQUIPMENT FOR THE PROCESSING, USE OR PRODUCTION OF CHEMICAL AGENTS FOR PEACEFUL PURPOSES IN ACCORDANCE WITH THE PROVISIONS OF THIS CONVENTION.

ARTICLE XV

THE ANNEXES REFERRED TO IN THIS CONVENTION SHALL CONSTITUTE AN INTEGRAL PART OF THIS CONVENTION.

ARTICLE XVI

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1. ANY STATE PARTY MAY PROPOSE AMENDMENTS TO THIS CONVENTION AS WELL AS THE ANNEXES.

2. THE INTERNATIONAL VERIFICATION AGENCY SHALL CONVOKE A CONFERENCE OF THE STATES PARTIES TO THIS CONVENTION TO CONSIDER AMENDMENTS TO THIS CONVENTION WHENEVER A MAJORITY OF THE PARTIES SUBMIT A PROPOSAL TO THIS EFFECT.

3. THE INTERNATIONAL VERIFICATION AGENCY SHALL RECOMMEND THE PROPOSED AMENDMENTS TO THE ANNEXES; TOGETHER WITH AN EXPLANATORY STATEMENT, TO THE STATES PARTIES TO THIS CONVENTION, WHEN THE AGENCY DEEMS SUCH AMENDMENTS TO BE NECESSARY. THE INTERNATIONAL VERIFICATION AGENCY SHALL NOTIFY THE PROPOSED AMENDMENTS TO THE ANNEXES, TOGETHER WITH THE AGENCY'S OPINION THEREON, TO THE STATES PARTIES TO THIS CONVENTION, WHEN ANY STATE PARTY PROPOSES SUCH AMENDMENTS UNDER PARAGRAPH 1 OF THIS ARTICLE.

4. AMENDMENTS TO THIS CONVENTION SHALL ENTER INTO FORCE FOR EACH STATE PARTY ACCEPTING THE AMENDMENTS UPON THEIR ACCEPTANCE BY A MAJORITY OF THE STATES PARTIES TO THIS CONVENTION ON THE DATE OF ACCEPTANCE BY IT. AMENDMENTS TO THE ANNEXES SHALL ENTER INTO FORCE FOR EACH STATE PARTY ACCEPTING THE AMENDMENTS UPON THEIR ACCEPTANCE BY A MAJORITY OF THE STATES PARTIES TO THIS CONVENTION ON THE DATE OF ACCEPTANCE BY IT PURSUANT TO THE RECOMMENDATIONS OR NOTIFICATIONS OF THE INTERNATIONAL VERIFICATION AGENCY AS UNDER PARAGRAPH 1 OF THIS ARTICLE.

ARTICLE XVII

1. THREE YEARS AFTER THE ENTRY INTO FORCE OF THIS

CONVENTION, A CONFERENCE OF STATES PARTIES TO THIS
CONVENTION SHALL BE HELD AT GENEVA, SWITZERLAND, TO
REVIEW THE OPERATION OF THIS CONVENTION, WITH A VIEW TO
ASSURING THAT THE PURPOSE OF THE PREAMBLE AND THE PRO-
VISIONS OF THIS CONVENTION ARE BEING REALIZED. AT
INTERVALS OF THREE YEARS THEREAFTER, FURTHER CONFERENCES
SHALL BE HELD WITH THE SAME OBJECTIVE OF REVIEWING THE
OPERATION OF THIS CONVENTION, IF A MAJORITY OF THE
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PARTIES TO THIS CONVENTION SUBMIT A PROPOSAL TO THIS
EFFECT TO THE INTERNATIONAL VERIFICATION AGENCY. SUCH
REVIEW SHALL TAKE INTO ACCOUNT ANY NEW SCIENTIFIC AND
TECHNOLOGICAL DEVELOPMENTS RELEVANT TO THIS CONVENTION.

2. THE INTERNATIONAL VERIFICATION AGENCY SHALL
CONVOKE A CONFERENCE OF STATES PARTIES TO THIS CONVEN-
TION AS PROVIDED FOR IN PARAGRAPH 1 OF THIS ARTICLE.

ARTICLE XVIII

1. THIS CONVENTION SHALL BE OF UNLIMITED DURATION.

2. EACH STATE PARTY TO THIS CONVENTION SHALL, IN
EXERCISING ITS NATIONAL SOVEREIGNTY, HAVE THE RIGHT TO
WITHDRAW FROM THIS CONVENTION IF IT DECIDES THAT
EXTRAORDINARY EVENTS, RELATED TO THE SUBJECT MATTER
OF THIS CONVENTION, HAVE JEOPARDIZED THE SUPREME
INTERESTS OF ITS COUNTRY. IT SHALL GIVE NOTICE OF SUCH
WITHDRAWAL TO ALL OTHER STATES PARTIES TO THIS CONVENTION
AND TO THE SECURITY COUNCIL OF THE UNITED NATIONS THREE
MONTHS IN ADVANCE. SUCH NOTICE SHALL INCLUDE A STATE-
MENT OF THE EXTRAORDINARY EVENTS IT REGARDS AS HAVING
JEOPARDIZED ITS SUPREME INTERESTS.

ARTICLE XIX

1. THIS CONVENTION SHALL BE OPEN TO ALL STATES FOR
SIGNATURE. ANY STATE WHICH DOES NOT SIGN THIS CON-
VENTION BEFORE ITS ENTRY INTO FORCE IN ACCORDANCE WITH
PARAGRAPH 3 OF THIS ARTICLE MAY ACCEDE TO IT AT ANY
TIME.

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2. THIS CONVENTION SHALL BE SUBJECT TO RATIFICATION BY SIGNATORY STATES. INSTRUMENTS OF RATIFICATION AND INSTRUMENTS OF ACCESSION SHALL BE DEPOSITED WITH THE GOVERNMENTS OF (BLANK), WHICH ARE HEREBY DESIGNED THE DEPOSITARY GOVERNMENTS.

3. THIS CONVENTION SHALL ENTER INTO FORCE AFTER THE DEPOSIT OF THE INSTRUMENTS OF RATIFICATION BY TWENTY-TWO GOVERNMENTS, INCLUDING THE GOVERNMENTS DESIGNED AS DEPOSITARIES OF THIS CONVENTION.

4. FOR STATES WHOSE INSTRUMENTS OF RATIFICATION OR ACCESSION ARE DEPOSITED SUBSEQUENT TO THE ENTRY INTO FORCE OF THIS CONVENTION, IT SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION.

5. THE DEPOSITARY GOVERNMENTS SHALL PROMPTLY INFORM ALL SIGNATORY AND ACCEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR OF ACCESSION AND THE DATE OF THE ENTRY INTO FORCE OF THIS CONVENTION, AND OF THE RECEIPT OF OTHER NOTICES.

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6. THIS CONVENTION SHALL BE REGISTERED BY THE DEPOSITARY GOVERNMENTS PURSUANT TO ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

ARTICLE XX

THIS CONVENTION, THE CHINESE, ENGLISH, FRENCH,

RUSSIAN AND SPANISH TEXTS OF WHICH ARE EQUALLY AUTHENTIC, SHALL BE DEPOSITED IN THE ARCHIVES OF THE DEPOSITARY GOVERNMENTS. DULY CERTIFIED COPIES OF THIS CONVENTION SHALL BE TRANSMITTED BY THE DEPOSITARY GOVERNMENTS TO THE GOVERNMENTS OF THE SIGNATORY AND ACCEDING STATES.

IN WITNESS THE UNDERSIGNED, DULY AUTHORIZED, HAVE SIGNED THIS CONVENTION.

DONE IN COPIES AT THIS DAY OF , .

ANNEX I (A)

1. STATES PARTIES TO THE CONVENTION MAY SUSPEND THE APPLICATION OF ARTICLE 1 OF THE CONVENTION WITH REGARD TO THE CHEMICAL AGENTS WHICH COME UNDER THE FOLLOWING CATEGORY(IES): (BLANK)

2. STATES PARTIES TO THE CONVENTION DESIRING TO SUSPEND THE APPLICATION OF ARTICLE 1 TO THE CHEMICAL AGENTS LISTED IN PARAGRAPH 1 ABOVE SHALL SO NOTIFY THE INTERNATIONAL VERIFICATION AGENCY WITHIN DAYS FROM THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION. THE INTERNATIONAL VERIFICATION AGENCY SHALL FORTHWITH COMMUNICATE SUCH NOTIFICATION TO ALL SIGNATORY AND ACCEDING STATES.

ANNEX I (B)

1. STATES PARTIES TO THE CONVENTION MAY EXCLUDE FROM PROHIBITION THE CHEMICAL AGENTS TO WHICH THEY CONSIDER IT IMPOSSIBLE TO APPLY FORTHWITH ARTICLES I AND II OF THE CONVENTION. HOWEVER, THE FOLLOWING AGENTS SHALL NEVER IN ANY CIRCUMSTANCES BE EXCLUDED FROM THE PROHIBITION:

(A) THE FOLLOWING ORGANO-PHOSPHORIC COMPOUNDS;

(1) ISOPROPYL METHYL PHOSPHONE-FLUORIDATE.

(2).....(54) DELETED.

(B) THE FOLLOWING MUSTARD COMPOUNDS;

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(1) BIS (DICHLORODIETHYL) SULFIDE.

(2)(II) DELETED.

2. STATES PARTIES TO THE CONVENTION DESIRING TO INVOKE THE PROVISIONS OF PARAGRAPH 1 ABOVE SHALL SO NOTIFY THE DEPOSITARY GOVERNMENTS AT THE TIME OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION. IN CASE A CHANGE TAKES PLACE IN THE LIST OF THE CHEMICAL AGENTS WHICH ARE PROHIBITED, THIS CHANGE SHALL BE NOTIFIED ON EACH SUCH OCCASION TO THE DEPOSITARY GOVERNMENTS. THE DEPOSITARY GOVERNMENTS SHALL COMMUNICATE FORTHWITH THESE NOTIFICATIONS TO THE STATES PARTIES TO THE

CONVENTION AND THE INTERNATIONAL VERIFICATION AGENCY.

ADDENDUM: INSERT THE FOLLOWING TEXT BETWEEN ARTICLE X AND
ARTICLE XII ABOVE:

ARTICLE XI

EACH STATE PARTY TO THIS CONVENTION UNDERTAKES TO
PROVIDE OR SUPPORT ASSISTANCE, IN ACCORDANCE WITH THE
CHARTER OF THE UNITED NATIONS, TO ANY PARTY TO THIS
CONVENTION WHICH SO REQUESTS, IF THE SECURITY COUNCIL
DECIDES, UPON NOTIFICATION AS PROVIDED FOR IN
ARTICLE X, THAT SUCH PARTY HAS BEEN EXPOSED TO
DANGER AS A RESULT OF VIOLATION OF THIS CONVENTION.DALE

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Review Withdrawn Fields: n/a
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Status: NATIVE
Subject: CCD: JAPANESE DRAFT CW TREATY
TAGS: PARM, JA
To: STATE TOKYO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005